

City Planning Department



Memo

To: Cranston City Plan Commission
From: Doug McLean, AICP – Principal Planner / Administrative Officer
Date: April 28, 2021
Re: “Minor Subdivision of 10 Orchard Valley Drive” Preliminary Plan - Minor Subdivision without street extension

Owner/App: Christina Rousseau (f/k/a Christina Cummiskey)
Location: 10 Orchard Valley Drive, AP 28, Lot 16
Zone: A-80 (Single-family dwellings on lots of minimum areas of 80,000 ft²)
FLU: Single Family Residential less than 1 unit per acre

I. Proposal

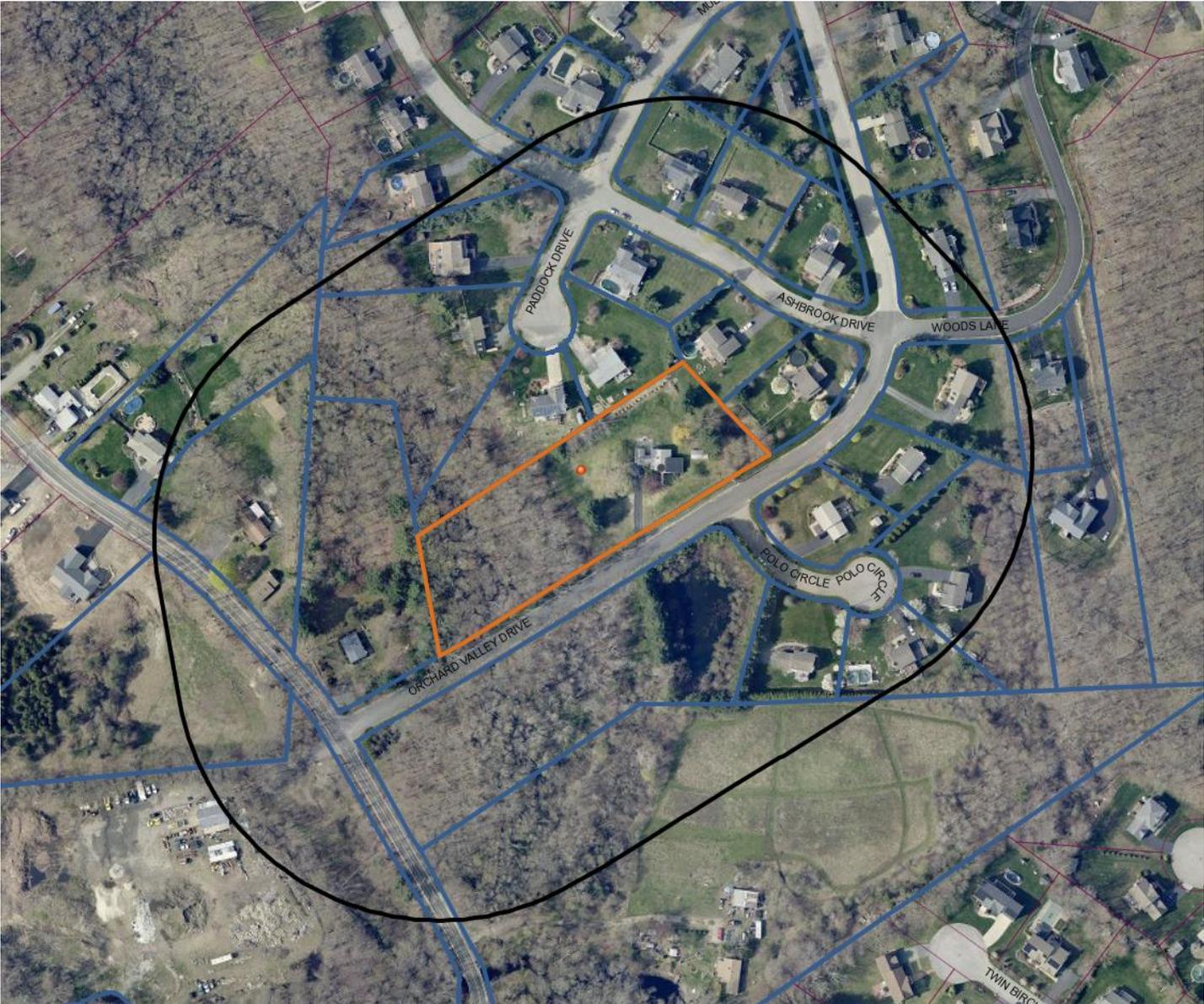
The owner/applicant proposes to subdivide an existing 2.02-acre lot into two (2) lots for the purpose of creating another buildable lot. This lot is zoned A-80. This application requires approval from the Zoning Board of Review for 4 dimensional variances, including: 2 proposed lots that will be substandard in size (each lot representing a separate variance request), 1 proposed lot will have substandard frontage, and the proposed new house will require rear yard setback relief. Further details on the specific variance requests are discussed in a separate memo relating to the staff variance recommendations.

Proposed Lot 1 will be 1.26 acres, and would be host to a proposed new single-family residence. Proposed Lot 2 will be 0.76 acres, and is host to an existing single family residence. Proposed Lot 1 contains wetlands and the plan has received RIDEM approval without the need for a wetlands alteration permit due to avoiding conflicts with the wetland buffer. The new house on Proposed Lot 1 would be served by public water and sewer. The proposal includes requests for waivers from the subdivision regulations for sidewalks. The proposed project is compliant with the Comprehensive Plan Future Land Use Map which designates the property as “Single Family Residential less than 1 unit per acre” and the proposed project density is 1 unit per 1.01 acres.

II. Documents which are part of the application

1. Preliminary Plan application signed by Christina Rousseau (owner/app) dated 1/7/21.
2. Check for application filing fees.
3. Preliminary Plan subdivision plan set entitled “Minor Subdivision of 10 Orchard Valley Drive” prepared by Samuel Suorsa, PLS, dated 12/22/20 (last revised 4/28/21).
4. Preliminary Plat checklist.
5. 100’ radius map and list of abutters.
6. Letter from RIDEM Office of Water Resources signed by Nancy Freeman, dated 11/2/20 in response to Application No. 20-0221 verifying no permit needed by their agency.
7. Certificate of Municipal Leans.

AERIAL VIEW (400 ft radius line shown in black)



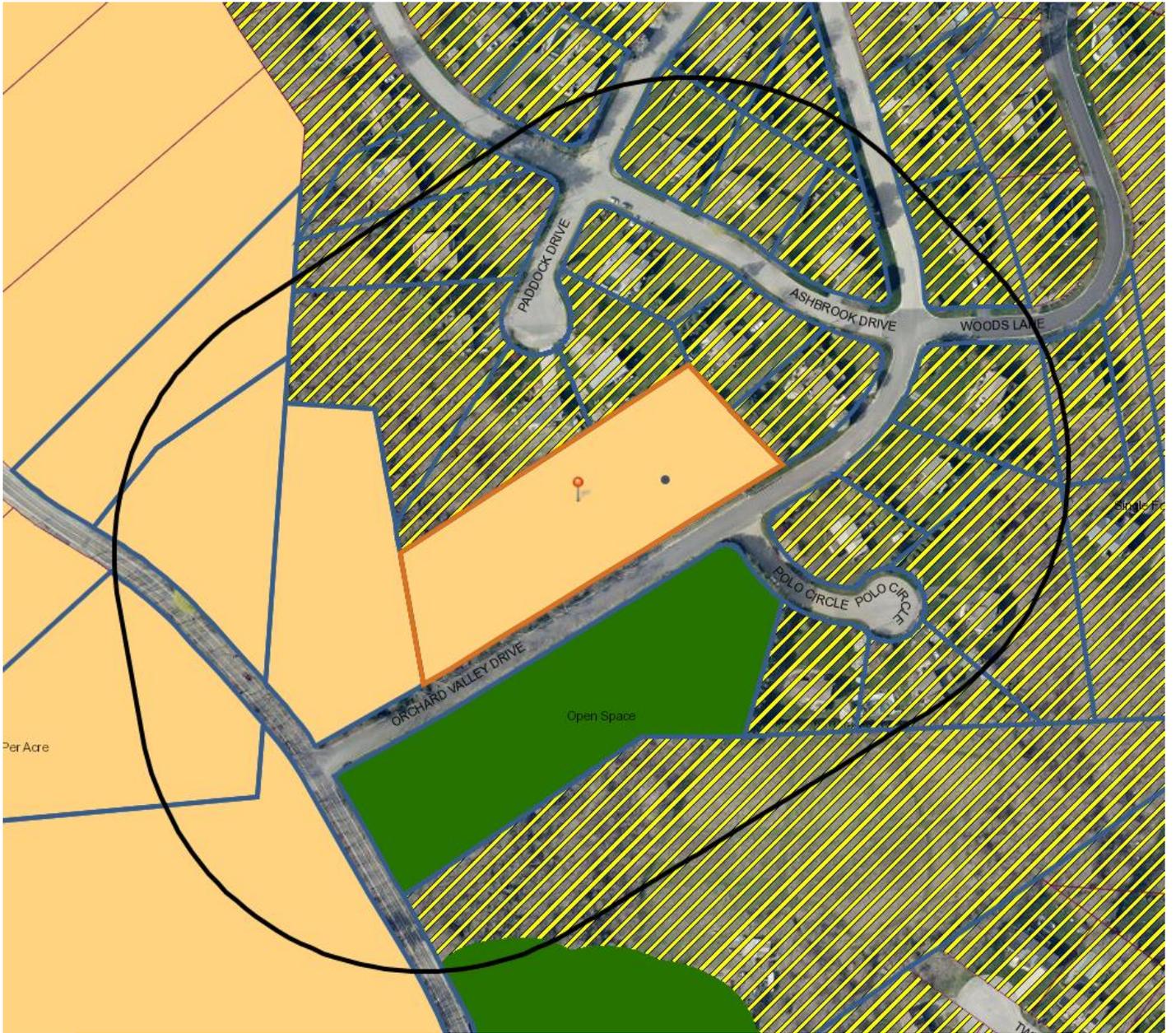
AERIAL VIEW OF PARCEL



ZONING MAP



FUTURE LAND USE MAP



<p>UserSelected... </p> <p>vParcels_Buffer </p> <p>Parcels_InBuff... </p> <p> Parcels</p> <p>Streets Names </p> <p>Streets</p> <p> City</p> <p> State</p>	<p> Driveway</p> <p> OutsideCity</p> <p> Paper</p> <p> Pastore Complex</p> <p> Private</p> <p> Railroad</p> <p> State</p>	<p>Future Land Use</p> <p> Governmenta...</p> <p> Highway Commercial...</p> <p> Industrial</p> <p> Mixed Plan Development</p> <p> Multifamily</p> <p> Neighborhood Commercial/...</p>	<p> Open Space</p> <p> Residential Less Than 10.39 Units Per Acre</p> <p> Right Of Way</p> <p> Single Family Residential 3.63 To 1 Unit Per Acre</p>	<p> Single Family Residential 7.26 To 3.64 Unit Per Acre</p> <p> Single Family Residential Less Than 1 Unit Per Acre</p> <p> Single/Two Family Residential Less Than 10.89 Units Per Acre</p>	<p> Special Redevelom... Area</p> <p> Water</p> <p> Street Names</p>	<p>N</p> <p>W E</p> <p>S</p>
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3-D AERIAL VIEW (facing north)



STREET VIEW



III. Surrounding land use and context

Analysis using Geographic Information System indicates that:

1. The subject parcel is located in Western Cranston on the east side of Pippin Orchard Road, just north of Orchard Valley Drive.
2. The existing parcel is currently developed with a single-family residence.
3. The majority of the surrounding parcels/neighborhood is zoned A-20. There are agriculture uses and single-family residences surrounding the project site.
4. The site gently slopes downwards towards the south-west where there is a wetland area on the west side of the parcel.
5. The project is free of any regulated floodplains or historic/cultural districts.
6. The 2018 Natural Heritage Map does not show any known rare species located on or near the site.

IV. Staff / Agency Comments

The plans were distributed for comment to the Public Works Department, Engineering Division, Traffic Division, Building and Zoning Department, Conservation Commission and the Fire Department. DPW has provided a letter regarding public sewer availability from DPW. No other comments have been received at this time.

V. Interests of Others

None to report at this time.

VI. Planning Analysis

The applicant is proposing a minor subdivision without street extension that subdivides one existing 2.02-acre lot into two substandard lots as shown on the site plan. The minor subdivision is less dense than the Comprehensive Plan Future Land Use Map allocation of Single Family Residential Less Than 1 Unit Per Acre with a proposed density of 1 unit per 1.01 acres.

Staff does not take any issues with the main components of the proposed subdivision. The applicant has requested a waiver for sidewalks, which staff supports. The details regarding the requested dimensional variances associated with this subdivision are discussed under separate memo – but for the sake of brevity, staff has provided a positive recommendation on all 4 variance requests and finds the application to merit positive consideration.

VII. Waivers

Sidewalks

The proposed subdivision requests a waiver for the requirement for sidewalks. Staff finds the request to be justified on the grounds that there are no existing sidewalks on Orchard Valley Drive to connect to.

VIII. Findings of Fact

An orderly, thorough and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100' radius have been notified via first class mail no less than ten (10) days prior to the public meeting, and the meeting agenda has been properly posted.

Staff has reviewed this Preliminary Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as the City of Cranston's Subdivision and Land Development Regulations and finds as follows:

RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, “The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”

1. The proposed subdivision is consistent with the City of Cranston Comprehensive Plan policies and Future Land Use Map (FLUM). The proposed resulting density of approximately 1 unit per 1.01 acres, which is consistent with the FLUM's designation of the subject parcel as “Single Family Residential Less Than 1 unit per acre.”
2. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.

RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, “The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance.”

3. The subdivision requires zoning relief. Should the Cranston Zoning Board of Review provide the requested relief, this project shall be compliant with the standards and provisions of the zoning ordinance.
4. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.

*RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, “There will be no significant negative environmental impacts from the proposed development as shown on the **final** plan, with all required conditions for approval.” (emphasis added)*

5. This finding pertains specifically to the final plan, however, the buildable area for the newly proposed lot does not create undue impacts to the nearby wetland, as has been reviewed and confirmed by RIDEM in their letter dated 11/2/20. No significant environmental impacts are anticipated.
6. The Rhode Island November 2018 Natural Heritage map shows that there are no known rare species located on the site.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, “The subdivision, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.”

7. The proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

8. The design and location of building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, “All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.”

9. The properties in question will have adequate permanent physical access on Orchard Valley Drive, a public roadway located within the City of Cranston.
10. The proposed subdivision provides for safe and adequate local circulation vehicular traffic, for adequate surface water run-off and for a suitable building site.

IX. Recommendation

Staff finds this proposal consistent with the standards for required findings of fact set forth in RIGL Section 45-23-60 as well as with the City of Cranston’s Subdivision and Land Development Regulations. Staff therefore recommends that the Planning Commission adopt the documented findings of fact and **approve** the Preliminary Plan application with a waiver for the provision of sidewalks, subject to the conditions denoted below.

X. Conditions of approval

1. Applicant must receive subsequent approval from the Zoning Board of Review for the requested variances relating to lot configuration.
2. A check for a Western Cranston Capital Facilities Impact Fee in the amount of \$1,389.50 (1 new buildable unit) shall be provided at the time of Final Plan recording.